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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 THE PEOPLE OF THE STATE OF
CALIFORNIA, ex rel. ROB BONTA,
15 ATTORNEY GENERAL OF
CALIFORNIA,

16 Plaintiff,

17 v.

18 EXXON MOBIL CORPORATION; AND
19 DOES 1 THROUGH 100, INCLUSIVE,

20 Defendants.

Case No. 3:24-cv-07594-RS

**STIPULATION AND ~~[PROPOSED]~~ ORDER
ON (1) ADMINISTRATIVE STAY OF
REMAND ORDER AND (2) BRIEFING
SCHEDULE REGARDING
EXXONMOBIL'S MOTION TO STAY
PENDING APPEAL OF REMAND ORDER**

Hon. Richard Seeborg

1 The following stipulation is entered between Plaintiff The People of the State of
2 California ("Plaintiff"), and Defendant Exxon Mobil Corporation ("ExxonMobil"), by and
3 through their respective counsel, with reference to the following facts:

4 **RECITALS**

5 WHEREAS, after ExxonMobil removed this action to this Court, Plaintiff filed a Motion
6 to Remand, which the Court granted on February 24, 2025;

7 WHEREAS, the Court's February 24, 2025 order granted a 42-day administrative stay of
8 the remand order "so as to sort out whether a longer stay pending appeal might be warranted,"
9 and directed the parties to submit within seven days a "briefing schedule for addressing the
10 propriety of a stay pending appeal" (Dkt. 28 at 15);

11 WHEREAS, the parties submitted a stipulated briefing schedule on ExxonMobil's Motion
12 to Stay Pending Appeal ("Motion to Stay") on March 3, 2025, which the Court entered on March
13 4, 2025 (Dkts. 30-31);

14 WHEREAS, pursuant to the stipulated briefing schedule, ExxonMobil filed a timely
15 Motion to Stay on March 11, 2025 (Dkt. 33); Plaintiff filed a timely Opposition on March 25,
16 2025 (Dkt. 36); and ExxonMobil's Reply is due on March 28, 2025;

17 WHEREAS, the parties are engaged in discussions regarding a stipulated agreement that
18 would obviate the need for the Court to rule on ExxonMobil's Motion to Stay;

19 WHEREAS, the parties have made significant progress in their discussions;

20 WHEREAS, the 42-day administrative stay of the remand order will expire on April 7,
21 2025;

22 WHEREAS, the parties agree that a one-week extension of the administrative stay of the
23 remand order (to April 14, 2025) and a one-week extension of ExxonMobil's deadline to file a
24 Reply in support of its Motion to Remand (to April 4, 2025) are warranted to give the parties time
25 to see if they can reach a stipulated agreement that would obviate the need for the Court to rule on
26 the Motion to Stay;

27 WHEREAS, this stipulation is not intended to operate as an admission of any factual
28 allegation or legal conclusion and is submitted subject to and without waiver of any right,

1 defense, affirmative defense, or objection, including but not limited to subject matter or personal
2 jurisdiction;

3 WHEREAS, the parties agree that this stipulation does not waive any right to agree to or
4 request further extensions, or to seek any other relief from the Court.

5 STIPULATION

6 NOW, THEREFORE, the parties hereby agree and stipulate as follows:

7 1. ExxonMobil's deadline to file its Reply in support of its Motion to Stay is
8 extended to April 4, 2025.

9 2. The administrative stay of the remand order issued by the Court in its February 24,
10 2025 order (Dkt. 28) shall remain in place up to and including April 14, 2025.

11 3. The parties agree that nothing in this stipulation shall operate as an admission of
12 any factual allegation or legal conclusion nor constitutes a waiver of any right, defense,
13 affirmative defense, or objection, including but not limited to subject matter or personal
14 jurisdiction.

15 Dated: March 28, 2025

16 Respectfully submitted,

17 /s/ Dawn Sestito

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Counsel for Defendant

1 Dated: March 28, 2025

Respectfully submitted,

3 /s/ Deborah M. Smith

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Counsel for Plaintiff

** Pursuant to Civ. L.R. 5-1(i)(3), the
electronic signatory has obtained approval
from this signatory.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 28, 2025


Hon. Richard Seeborg
United States District Judge